IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

KENNETH M. SEATON d/b/a,)
GRAND RESORT HOTEL AND)
CONVENTION CENTER)
Plaintiff,)
v.	Civil Action No.
TRIPADVISOR, LLC,) JURY DEMAND
Defendant.)

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441(a) and 1446, et seq., defendant, TripAdvisor, LLC ("TripAdvisor") files this Notice of Removal of this action from State Court to this Court and respectfully states as follows:

- 1. On October 11, 2011, plaintiff, Kenneth M. Seaton ("Seaton") commenced a civil action in the Circuit Court of Sevier County, Tennessee ("the State Court"), bearing the style, *Kenneth M. Seaton d/b/a Grand Resort Hotel and Convention Center*, Docket No. 2011-0676-I ("the Civil Action"). The Civil Action is still pending in the State Court.
- 2. TripAdvisor was served with a copy of the Summons, Complaint, and Plaintiffs' First Set of Interrogatories & Requests for Production Propounded to Defendant in the Civil Action on October 19, 2011, copies of which are attached as Exhibit A, and which constitute all process, pleadings, and orders served on TripAdvisor in the Civil Action to date.
 - 3. TripAdvisor has, to date, made no appearance in the Civil Action in State Court.
- 4. The Civil Action is one of which this Court has jurisdiction pursuant to 28 U.S.C. § 1332 and removal jurisdiction pursuant to 28 U.S.C. § 1441 in that:

- (a) TripAdvisor, both at the time of filing of the Civil Action and as of the date of filing of this Notice, was and is a limited liability company organized under the laws of the State of Delaware with its principal place of business in the State of Massachusetts.
- (b) TripAdvisor, both at the time of filing of the Civil Action and as of the date of this Notice, is a wholly-owned subsidiary of TripAdvisor Holdings, LLC, a Massachusetts LLC. TripAdvisor Holdings, LLC is a wholly-owned subsidiary of Expedia, Inc., a Delaware corporation, with its principal place of business in Washington. Expedia, Inc. is a publicly traded corporation.
- (c) Kenneth M. Seaton, upon information and belief, both at the time of filing of the Civil Action and as of the date of filing this Notice, was and is a citizen of the United States of America domiciled in the State of Tennessee.
- (d) Jurisdiction exists among all parties properly joined in the civil action in that it is between citizens of different States, and the amount in controversy exceeds \$75,000, exclusive of interest and costs.
- (e) This action is within the original jurisdiction of the Court pursuant to the provisions of 28 U.S.C. § 1332.
- 5. TripAdvisor has filed this Notice prior to the expiration of thirty (30) days following its receipt of a copy of the Complaint.
- 6. The judicial district and division of this Court embraces Sevier County,
 Tennessee, the place where the Civil Action is pending.
- 7. TripAdvisor will give written notice to plaintiff and will file a Notice of Filing of Notice of Removal with the Clerk of the Circuit Court of Sevier County, Tennessee.

 TripAdvisor attaches a copy of the Notice of Filing of Notice of Removal as Exhibit B.

WHEREFORE, defendant, TripAdvisor, LLC prays that the Civil Action now pending against it in the Circuit Court of Sevier County, Tennessee, be removed therefrom to this Court.

Respectfully submitted,

s/ S. Russell Headrick
S. Russell Headrick (BPR No. 005750)
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Attorneys for TripAdvisor, LLC

Of counsel:

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing Notice of Removal has been filed electronically and has been served upon the following parties in interest herein by mailing same to the offices of said parties in interest by United States Mail with sufficient postage thereon to carry the same to its destination.

John T. Milburn Rogers 100 S. Main Street Greeneville, Tennessee 37744

Sidney Gilreath 550 Main Avenue, Suite 600 Knoxville, Tennessee 37902

This 17th day of November, 2011.

s/ S. Russell Headrick
S. Russell Headrick

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